

REMARKS

Claims 1-3, 5-7, 9-11, and 14-17 are pending in this application after this Amendment. Claims 1, 5, and 9 are independent. Claims 4, 8, and 12-13 have been canceled without prejudice or disclaimer to the subject matter contained therein. In light of the amendments and remarks contained herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-12 and 15-17 under 35 U.S.C. § 103(a) as being unpatentable over Ota (JP 08-340398) in view of *Shintani et al.* (USP 4,992,875); and rejected claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Ota in view of *Shintani et al.* and further in view of *Fukushima et al.* (USP 6,253,023). Applicant respectfully traverses these rejections.

By this Amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

**Claim Rejections - 35 U.S.C. § 103 - *Ota/Shintani et al.***

The disclosure of Ota is directed to an image information recorder wherein image information is read by a film scanner, A/D converted, and stored in memory. The image information is then

compressed to a JPEG system by an MD processing part and written on a minidisk.

In contrast, the present invention as set forth in claim 1, as amended, recites, *inter alia*, an image conversion system comprising a format conversion means which converts the format of the digital image signal into EXIF format. As *Ota* teaches converting the image into JPEG format, there is no teaching or suggestion in *Ota* of converting the format of the digital image signal into EXIF format. As *Shintani et al.* fails to cure the deficiencies of the teachings of *Ota*, assuming these references are combinable, which Applicant does not admit, it is respectfully submitted that claim 1, as amended, is not obvious over *Ota* in view of *Shintani et al.* As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-3 are allowable for the reasons set forth above with regard to claim 1 based upon their dependency on claim 1. It is further respectfully submitted that claims 5 and 9 contain elements similar to those discussed above with regard to claim 1 and, thus, claims 5 and 9, together with claims dependent thereon, are not obvious over *Ota* in view of *Shintani et al.*

#### Conclusion


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully


requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
\_\_\_\_\_  
Marc S. Weiner, #32,181

  
MSW/CMV/jdm  
2091-0169P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

Attachment(s)